

Thomas A. Pajda
Attorney

Southwestern Bell Telephone
One Bell Center, Room 3528
St. Louis, Missouri 63101
Phone 314 235-2518
Fax 314 331-9743



October 9, 1997

DOCKET FILE COPY ORIGINAL

RECEIVED

OCT 10 1997

HAND DELIVERED

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Mr. William F. Caton
Secretary
Federal Communications Commission
1919 M Street, Room 222
Washington, D.C. 20554

**Re: Southwestern Bell Telephone Company, Tariff F.C.C. No. 73,
Transmittal No. 2633, CC Docket No. 97-158; Southwestern Bell
Telephone Company, Tariff F.C.C. No. 73, Transmittal Nos. 2433 and
2449, CC Docket No. 95-140; Access Charge Reform, CC Docket No. 96-
262**

Dear Mr. Caton:

Since June 13, 1997, SWBT's Transmittal No. 2633, which proposed a reduction in prices in specific competitive bid situations, has been under suspension by the Commission.¹ Although customers continue to make competitive choices using Requests For Proposals (RFPs) and other bidding arrangements, SWBT has been effectively prohibited from responding in kind. As demonstrated by SWBT in CC Docket No. 97-158, this delay is detrimental to the public interest.

This delay is overshadowed, however, by the Commission's failure to act on remand in CC Docket No. 95-140, Southwestern Bell Telephone Company Tariff F.C.C. No. 73, Transmittal Nos. 2433 and 2449. In CC Docket No. 95-140, the Commission rejected a previous filing by SWBT to decrease rates in specific competitive bid situations. SWBT asked the United States Court of Appeals for the District of Columbia Circuit to review this rejection. Nearly one year ago, on November 1, 1996, SWBT's Petition for Review was argued. Less than four weeks later, on November 26, 1996, the U.S. Court of Appeals remanded the Commission's ruling

¹ Southwestern Bell Telephone Company, Tariff F.C.C. No. 73, Transmittal No. 2633, Suspension Order, (DA 97-1251) (rel. Com. Car. Bur., June 13, 1997), (Suspension Order); Order Designating Issues for Investigation, (DA 97-1472) (rel. Com. Car. Bur., July 14, 1997), (Designation Order).

Mr. William F. Caton

Page 2

October 9, 1997

"for a more coherent, and perhaps more forthright, explanation of its actions."² Yet, today, no such explanation has been received.

The delay in each of these matters is especially puzzling given the FCC's long history of reducing regulation for services subject to competition. In CC Docket No. 86-421, Decreased Regulation of Certain Basic Telecommunications Services, the Commission recounted this history, stating:

As we observed in the Computer III Order, the conditions now prevailing in the telecommunications industry are quite different from those of 1983, . . . numerous new telecommunications suppliers are competing successfully with traditional dominant firms in providing the public with certain basic services and their substitutes. For some such offerings, competition is sufficiently intense that dominant carriers, as classified in Competitive Carrier, appear to have little or no market power. Accordingly, it appears that for these services, the full panoply of Title II regulations that this Commission has developed pursuant to its discretionary powers is not necessary to meet the goals of the Communications Act. Indeed, overly intrusive Title II regulation could hinder the efficient, low cost provision of such services to the public, because of the delay and additional costs inherent in complying with such regulation, as well as the potential creation of incentives for inefficient activity.³

Thus, even ten years ago, the Commission saw the need to reduce regulation for dominant carriers. In particular, the Competitive Bid NPRM in CC Docket No. 86-421 recognized that a market-specific approach should be used.⁴

Specifically, the Competitive Bid NPRM addressed reducing regulation for services obtained in competitive bidding situations:

Decreased regulation is warranted whenever the competitive process ensures that customers will receive the types of services they require at

² Southwestern Bell Telephone Company v. FCC, 100 F.3d, 1004, 1008 (D.C. Cir. 1996).

³ Decreased Regulation of Certain Basic Telecommunications Services, 2 FCC Rcd. 645 (1987) (Competitive Bid NPRM), at para. 8 (footnotes omitted).

⁴ Competitive Bid NPRM at para. 14.

Mr. William F. Caton

Page 3

October 9, 1997

reasonable prices. For example, business and governmental organizations often use a competitive bidding process to award contracts for telecommunications services that meet their specifications. If a dominant carrier wins such a contract, the rates contained in the tariff it files for these "contract services" generally are those specified in its winning contract bid. The fact that such a bidding process takes place indicates both the existence of competitive alternatives to the contract services that a dominant carrier proposes to furnish and the customer's willingness and ability to use the services of another provider. Moreover, a truly competitive bidding process operates both to prevent monopoly pricing and to encourage competitors of dominant carriers to compete for such contracts, by forcing such carriers to cut their rates in order to meet the competition for the customer's business. These observations and a Competitive Carrier-type analysis of the offering of contract services leads us to the tentative conclusions that there is a strong competitive submarket for such services and that, therefore, tariff regulation for contract services provided by dominant carriers should be streamlined.⁵

Thus, the Commission has already tentatively concluded, as a general matter, that in an RFP situation, no further proof of competition is necessary other than the fact that "such a bidding process takes place." This tentative conclusion confirms that SWBT need not show anything more to satisfy the first prong of the competitive necessity test in an RFP situation.

The Competitive Bid NPRM also answers the Bureau's current concerns over whether SWBT's Transmittal No. 2633 satisfies the second and third prongs of the competitive necessity doctrine.⁶ The Commission stated:

It appears that the bidding process itself operates to limit the market power of dominant carriers in the contract services submarket. By instituting such a process, the customer encourages entry into the bidding by other service providers by indicating its willingness to use their offerings if they can win the bidding process. Moreover, this process encourages all competitors to minimize their proposed charges

⁵ Competitive Bid NPRM at para. 35 (footnotes omitted).

⁶ "[T]he discounted offering response to competition without undue discrimination; and (3) the discount contributes to reasonable rates and efficient services for all users." Designation Order, at para. 24.

Mr. William F. Caton

Page 4

October 9, 1997

for the service, and helps ensure that the customer who chooses to participate in this submarket will not be subject to supracompetitive pricing.⁷

The Commission also tentatively concluded that:

In most cases it appears that the bidding process itself serves to ensure the provision of an efficient set of services at reasonable prices for customers in this submarket, and thus only limited oversight by this Commission is necessary.⁸

While the proposals in the Competitive Bid NPRM showed great promise, the Commission failed to act on them. In 1990, the Commission decided to terminate CC Docket No. 86-421 on the ground, that the record compiled in the proceeding "has become stale."⁹ Thus, notwithstanding the strong words of encouragement from the Competitive Bid NPRM, and the absence of any finding to the contrary, CC Docket No. 86-421 granted no relief for competitive bids. Certainly, the competition indicated by the 1987 order has only become more apparent over time. There is no reason to withhold further relief today, even if there was any such reason in 1990.

The Commission must begin to remedy this delay. At a minimum, SWBT's Transmittal No. 2633 should be allowed to take effect immediately which could moot the need for further proceedings in CC Docket No. 95-140. A contrary result will require completion of the proceedings on remand in that docket. On a broader scale, all carriers must be allowed to file tariffs like SWBT's Transmittal No. 2633. This result can be accomplished in the context of the pricing flexibility phase of the Access Charge Reform proceeding.

Current events, the pending remand from the D.C. Circuit, and the record in the current access charge reform proceeding all require prompt action. The Commission has a prime opportunity to refresh the record and complete at least part of the work it began in CC Docket No. 86-421. The opportunity to "ensure the provision of an

⁷ Competitive Bid NPRM at para. 39.

⁸ Competitive Bid NPRM at para. 40.

⁹ Decreased Regulation of Certain Basic Telecommunications Services, 5 FCC Rcd. 5412 (1990) at para. 3.

Mr. William F. Caton

Page 5

October 9, 1997

efficient set of services at reasonable prices for customers"¹⁰ must not be delayed any longer.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Thomas A. Pajda".

Thomas A. Pajda
Attorney

cc: All parties of record

¹⁰ Competitive Bid NPRM at para. 40.

Certificate of Service

I, Elaine Temper, hereby certify Southwestern Bell Telephone Company's filing on CC Docket No. 97-158, Transmittal No. 2633, CC Docket No. 95-140, Transmittal Nos. 2433 and 2449 and CC Docket No. 96-262 has been filed this 10th day of October, 1997 to the Parties of Record.

_____

Elaine Temper

October 10, 1997

**COMPETITIVE PRICING DIVISION (2 CYS)
COMMON CARRIER BUREAU
ROOM 518
1919 M STREET NW
WASHINGTON DC 20554**

**INTERNATIONAL TRANSCRIPTION SERVICE
1231 20TH STREET
GROUND FLOOR
WASHINGTON, DC 20036**

**GEORGIA PUBLIC SERVICE COMMISSION
ATTENTION: MR BB KNOWLES
DIRECTOR UTILITIES DIVISION
244 WASHINGTON STREET SW/SOB -- SUITE 266
ATLANTA GEORGIA 30334-5701**

**LYMAN C WELCH
190 S LASALLE STREET #3100
CHICAGO IL 60603**

**PUBLIC UTILITY COMMISSION OF OREGON
550 CAPITOL ST NE
SALEM OR 97310-1380**

**PUBLIC UTILITY COMMISSION OF TEXAS
1702 N CONGRESS AVE
P O BOX 13326
AUSTIN TX 78711-3326**

**GVNW INC/MANAGEMENT
KENNETH T BURCHETT
VICE PRESIDENT
7125 SW HAMPTON
PORTLAND OR 97223**

**PENNSYLVANIA INTERNET SERVICE PROVIDERS
SCOTT J RUBIN ESQ
3 LOST CREEK DRIVE
SELINGROVE PA 17870**

**PUBLIC SERVICE COMMISSION OF THE DISTRICT OF
COLUMBIA
LAWRENCE D CROCKER III
ACTING GENERAL COUNSEL
717 14TH STREET NW
WASHINGTON DC 20005**

**NORTHERN ARKANSAS TELEPHONE COMPANY INC
STEVEN G SANDERS - PRESIDENT
301 EAST MAIN STREET
FLIPPIN AR 72634**

**AMERICAN LIBRARY ASSOCIATION
CAROL C HENDERSON
EXECUTIVE DIRECTOR
ALA WASHINGTON OFFICE
1301 PENNSYLVANIA AVENUE NW SUITE 403
WASHINGTON DC 20004**

**EDWARD HAYES JR ESQ
1155 CONNECTICUT AVENUE NW
THIRD FLOOR
WASHINGTON DC 20036**

**DANIEL J WEITZNER
ALAN B DAVIDSON
CENTER FOR DEMOCRACY AND TECHNOLOGY
1634 EYE STREET NW
SUITE 1100
WASHINGTON DC 20006**

**GARY M EPSTEIN
JAMES H BARKER
LATHAM & WATKINS
COUNSEL FOR BELL SOUTH CORPORATION &
BELL SOUTH TELECOMMUNICATIONS INC
1001 PENNSYLVANIA AVENUE NW
SUITE 1300
WASHINGTON DC 20004-2505**

**JACK KRUMHOLTZ
LAW AND CORPORATE AFFAIRS DEPARTMENT
MICROSOFT CORPORATION
SUITE 600
5335 WISCONSIN AVENUE NW
WASHINGTON DC 20015**

**ALLIED ASSOCIATED PARTNERS LP
ALLIED COMMUNICATIONS GROUP
GELD INFORMATION SYSTEMS
CURTIS T WHITE
MANAGING PARTNER
4201 CONNECTICUT AVENUE NW - #402
SUITE 402
WASHINGTON DC 20008-1158**

**RONALD DUNN
PRESIDENT
INFORMATION INDUSTRY ASSOCIATION
1625 MASSACHUSETTS AVENUE NW
SUITE 700
WASHINGTON DC 20036**

**JOSEPH S PAYKEL
ANDREW JAY SCHWARTZMAN
GIGI B SOHN
MEDIA ACCESS PROJECT
1707 L STREET NW
SUITE 400
WASHINGTON DC 20036**

**CITIZENS UTILITIES COMPANY
RICHARD M TETTELBAUM
ASSOCIATE GENERAL COUNSEL
SUITE 500 1400 16TH STREET NW
WASHINGTON DC 20036**

**NATIONAL CABLE TELEVISION ASSOCIATION INC
DANIEL L BRENNER
DAVID L NICOLL
1724 MASSACHUSETTS AVENUE NW
WASHINGTON DC 20036**

EXCEL TELECOMMUNICATIONS INC
THOMAS K CROWE
MICHAEL B ADAMS
LAW OFFICES OF THOMAS K CROWE PC
2300 M STREET NW
SUITE 800
WASHINGTON DC 20037

CABLE & WIRELESS INC
RACHEL J ROTHSTEIN
8219 LEESBURG PIKE
VIENNA VA 22182

DANNY E ADAMS
EDWARD A YORKGITIS JR
KELLEY DRYE & WARREN LLP
ATTORNEYS FOR CABLE & WIRELESS INC
1200 19TH STREET NW SUITE 500
WASHINGTON DC 20036

TIMOTHY R GRAHAM
ROBERT G BERGER
JOSEPH SANDRI
WINSTAR COMMUNICATIONS INC
1146 19TH STREET NW
WASHINGTON DC 20036

DANA FRIX
MARK SIEVERS
SWIDLER & BERLIN CHTD
WINSTAR COMMUNICATIONS INC
3000 K STREET NW SUITE 300
WASHINGTON DC 20007

DANA FRIX
TAMAR HAVERTY
SWIDLER & BERLIN CHARTERED
COUNSEL FOR TELCO COMMUNICATIONS GROUP INC
3000 K STREET NW SUITE 300
WASHINGTON DC 20007

AMERICA ONLINE INC
WILLIAM W BURRINGTON
JILL LESSER
COUNSEL FOR AMERICA ONLINE INC
1101 CONNECTICUT AVENUE NW
SUITE 400
WASHINGTON DC 20036

DONNA N LAMPERT
JAMES A KIRKLAND
JENNIFER A PURVIS
MINTZ LEVIN COHN FERRIS GLOVSKY
AND POPEO P C
COUNSEL FOR AMERICA ONLINE INC
701 PENNSYLVANIA AVENUE NW
SUITE 900
WASHINGTON DC 20004

MICHAEL J SHORTLEY III
ATTORNEY FOR FRONTIER CORPORATION
180 SOUTH CLINTON AVENUE
ROCHESTER NEW YORK 14646

MICHAEL S FOX
DIRECTOR REGULATORY AFFAIRS
JOHN STAURULAKIS INC
6315 SEABROOK ROAD
SEABROOK MARYLAND 20706

**ROBERT S TONGREN
CONSUMERS' COUNSEL
OHIO CONSUMERS' COUNSEL
77 SOUTH HIGH STREET 15TH FLOOR
COLUMBUS OHIO 43266-0550**

**NATIONAL EXCHANGE CARRIER ASSOCIATION INC
JOANNE SALVATORE BOCHIS
PERRY S GOLDSCHHEIN
100 SOUTH JEFFERSON ROAD
WHIPPANY NEW JERSEY 07981**

**OZARKS TECHNICAL COMMUNITY COLLEGE
P O BOX 5958
SPRINGFIELD MO 65801**

**SDN USERS ASSOCIATION INC
P O BOX 4014
BRIDGEWATER NJ 08807**

**CHARLES D GRAY
JAMES BRADFORD RAMSAY
NATIONAL ASSOCIATION OF REGULATORY
UTILITY COMMISSIONERS
1201 CONSTITUTION AVENUE SUITE 1102
POST OFFICE BOX 684
WASHINGTON DC 20044**

**MICHAEL S PABIAN
LARRY A PECK
COUNSEL FOR AMERITECH
ROOM 4H82
2000 WEST AMERITECH CENTER DRIVE
HOFFMAN ESTATES IL 60196-1025**

**TCA INC
TELECOMMUNICATIONS CONSULTANTS
F STEPHEN LAMB MAS MANAGER
3617 BETTY DRIVE
SUITE 1
COLORADO SPRINGS CO 80917-5909**

**SCOTT L SMITH
VICE PRESIDENT OF
ALASKA TELEPHONE ASSOCIATION
4341 B STREET SUITE 304
ANCHORAGE AK 99503**

**WAYNE LEIGHTON PHD
SENIOR ECONOMIST
CITIZENS FOR A SOUND ECONOMY FOUNDATION
1250 H STREET NW SUITE 700
WASHINGTON DC 20005**

**BETTY D MONTGOMERY
ATTORNEY GENERAL OF OHIO
STEVEN T NOURSE
ASST ATTY GENERAL
PUBLIC UTILITIES SECTION
180 EAST BROAD STREET
COLUMBUS OH 43215-3793**

**ICG TELECOM GROUP INC
CINDY Z SCHONHAUT
9605 EAST MAROON CIRCLE
ENGLEWOOD CO 80112**

**ALBERT H KRAMER
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP
ATTORNEY FOR ICG TELECOM GROUP INC
2101 L STREET NW
WASHINGTON DC 20037-1526**

**RONALD J BINZ -- PRESIDENT
DEBRA R BERLYN -- EXECUTIVE DIRECTOR
JOHN WINDHAUSEN JR -- GENERAL COUNSEL
COMPETITION POLICY INSTITUTE
1156 15TH STREET NW SUITE 310
WASHINGTON DC 20005**

**GENERAL COMMUNICATION INC
KATHY L SHOBERT
DIRECTOR FEDERAL AFFAIRS
901 15TH STREET NW
SUITE 900
WASHINGTON DC 20005**

**MCI TELECOMMUNICATIONS CORPORATION
BRADLEY C STILLMAN -- SENIOR COUNSEL
1801 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20006**

**SPRINT CORPORATION
LEON M KESTENBAUM
JAY C KEITHLEY
H RICHARD JUHNKE
1850 M STREET NW 11TH FLOOR
WASHINGTON DC 20036**

**SUE D BLUMENFELD
THOMAS JONES
WILKIE FARR & GALLAGHER
COUNSEL FOR SPRINT CORPORATION
THREE LAFAYETTE CENTRE
1155 21ST STREET NW
WASHINGTON DC 20036**

**WORLDCOM INC
CATHERINE R SLOAN
1120 CONNECTICUT AVENUE NW
WASHINGTON DC 20036-3902**

**WORLDCOM INC
RICHARD J HEITMANN
515 EAST AMITE
JACKSON MS 39201-2702**

**ALEX J HARRIS
WORLDCOM INC
33 WHITEHALL STREET
15TH FLOOR
NEW YORK NY 10004**

PETER A ROHRBACH
DAVID L SIERADZKI
F WILLIAM LEBEAU
HOGAN & HARTSON L.L.P.
555 13TH STREET NW
WASHINGTON DC 20004-1109

AD HOC TELECOMMUNICATIONS USERS COMMITTEE
COLLEEN BOOTHBY
JAMES S BLASZAK
KEVIN S DILALLO
SASHA FIELD
LEVINE BLASZAK BLOCK & BOOTHBY
1300 CONNECTICUT AVENUE NW
SUITE 500
WASHINGTON DC 20036

ROBERT AAMOTH
KELLEY DRYE & WARREN
ATTYS FOR COMPETITIVE
TELECOMMUNICATIONS ASSOC
1200 19TH STREET NW
SUITE 500
WASHINGTON DC 20036

BELL ATLANTIC TELEPHONE COMPANY
EDWARD SHAKIN
1320 NORTH COURT HOUSE ROAD
EIGHTH FLOOR
ARLINGTON VA 22201

UNITED STATES TELEPHONE ASSOCIATION
MARY MCDERMOTT
LINDA KENT
KEITH TOWNSEND
HANCE HANEY
1401 H STREET NW SUITE 600
WASHINGTON DC 20005

AMERICAN PETROLEUM INSTITUTE
KELLER AND HECKMAN LLP
WAYNE V BLACK
C DOUGLAS JARRETT
SUSAN M HAFELI
PAULA DEZA
1001 G STREET NW
SUITE 500 WEST
WASHINGTON DC 20001

COMPETITIVE TELECOMMUNICATIONS ASSOCIATION
GENEVIEVE MORELLI
EXECUTIVE VICE PRESIDENT
AND GENERAL COUNSEL
1900 M STREET NW SUITE 800
WASHINGTON DC 20036-3508

CHARLES C HUNTER
CATHERINE M HANNAN
HUNTER & MOW PC
TELECOMMUNICATIONS RESELLERS ASSOCIATION
1620 I STREET NW
SUITE 701
WASHINGTON DC 20006

NYNEX TELEPHONE COMPANIES
JOSEPH DIBELLA
1300 I STREET NW SUITE 400 WEST
WASHINGTON DC 20005

FLEISCHMAN AND WALSH LLP
COUNSEL TO
LCI INTERNATIONAL TELECOM CORP
1400 SIXTEENTH STREET NW
WASHINGTON DC 20036

**ANNE K BINGAMAN
DOUG KNKOPH
LCI INTERNATIONAL TELECOM CORP
8180 GREENSBORO DRIVE SUITE 800
MCLEAN VIRGINIA 22102**

**CHAD S CAMPBELL
EUGENE D COHEN
BAILEY CAMPBELL PLC
649 NORTH SECOND AVENUE
PHOENIX, ARIZONA 85003**

**COMPETITIVE TELECOMMUNICATIONS ASSOCIATION
GENEVIEVE MORELLI
1900 M STREET NW
SUITE 800
WASHINGTON DC 20036-3508**

**ROBERT AAMOTH
KELLEY DRYE & WARREN
1200 19TH STREET NW
SUITE 500
WASHINGTON DC 20036**

**THOMAS F O'NEILL III
WILLIAM SINGLE IV
MCI TELECOMMUNICATIONS CORP
1133 NINETEENTH STREET NW
WASHINGTON DC 20036**

**DONALD B VERILLI JR
JENNER & BLOCK
MCI COMMUNICATIONS CORPORATION
JENNER & BLOCK
601 THIRTEENTH STREET NW
WASHINGTON DC 20005**

**ACC LONG DISTANCE CORP
DANA FRIX
TAMAR HAVERTY
SWIDLER & BERLIN CHARTERED
3000 K STREET NW SUITE 300
WASHINGTON DC 20007**

**IXC LONG DISTANCE INC
GARY L MANN
DIRECTOR - REGULATORY AFFAIRS
IXC LONG DISTANCE INC
98 SAN JACINTO SUITE 700
AUSTIN TX 78701**

**AT&T CORP
MARK C ROSENBLUM
PETER H JACOBY
JUDY SELLO
ROOM 3245G1
295 NORTH MAPLE AVENUE
BASKING RIDGE NJ 07920**

**AT&T CORP
GENE C SCHAERR
DAVID L LAWSON
SCOTT M BOHANNON
JAMES P YOUNG
1722 EYE STREET NW
WASHINGTON DC 20006**

**ROBERT M MCDOWELL
BRIAN A CUTE
HELEIN & ASSOCIATES PC
COUNSEL FOR
TELECOMMUNICATION ASSOCIATION
8180 GREENSBORO DRIVE
SUITE 700
MCLEAN VA 22102**

**TELECON LLC
FAYE F HENRIS
KIERAN T MAYS
AMERICA'S CARRIERS TELECOMMUNICATION ASSOC
8180 GREENSBORO DRIVE
SUITE 700
MCLEAN VA 22102**

**ANNE U MACCLINTOCK
VICE PRESIDENT -
REGULATORY AFFAIRS AND PUBLIC POLICY
THE SOUTHERN NEW ENGLAND TELEPHONE COMPANY
227 CHURCH STREET
NEW HAVEN CT 06510**

**FROST & JACOBS
THOMAS E TAYLOR
CHRISTOPHER J WILSON
ATTORNEYS FOR CINCINNATI BELL
TELEPHONE COMPANY
2500 PNC CENTER
201 EAST FIFTH STREET
CINCINNATI OHIO 45202**

**U S WEST INC
ROBERT B MCKENNA
RICHARD A KARRE
COLEEN M EGAN HELMREICH
ATTORNEYS FOR U S WEST
SUITE 700
1020 19TH STREET NW
WASHINGTON DC 20036**

**JOE D EDGE
TINA M PIDGEON
DRINKER BIDDLE & REATH
ATTORNEYS FOR
PUERTO RICO TELEPHONE COMPANY
901 15TH STREET NW
SUITE 900
WASHINGTON DC 20005**

**MICHAEL S PABIAN
LARRY A PECK
COUNSEL FOR AMERITECH
ROOM 4H82
2000 WEST AMERITECH CENTER DRIVE
HOFFMAN ESTATES IL 60196-1025**

**PACIFIC TELESIS GROUP
MARLIN D ARD
NANCY C WOOLF
140 NEW MONTGOMERY STREET
SAN FRANCISCO CA 94105**

**PACIFIC TELESIS GROUP
MARGARET E GARBER
1275 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20004**

**GENERAL SERVICES ADMINISTRATION
EMILY C HEWITT
GENERAL COUNSEL
18TH & F STREETS NW ROOM 4002
WASHINGTON DC 20405**

**OFFICE OF THE JUDGE ADVOCATE GENERAL
U S ARMY LITIGATION CENTER
901 N STUART STREET SUITE 713
ARLINGTON VA 22202-1837**

**JOHN ROTHER ESQ
DIRECTOR LEGISLATION AND PUBLIC POLICY
AMERICAN ASSOCIATION OF RETIRED PERSONS
601 E STREET NW
WASHINGTON DC 20049**

**JAMES LOVE
DIRECTOR
CONSUMER PROJECT ON TECHNOLOGY
P O BOX 19367
WASHINGTON DC 20036**

**INTERNATIONAL COMMUNICATIONS ASSOCIATION
BRIAN R MOIR
MOIR & HARDMAN
2000 L STREET NW
SUITE 512
WASHINGTON DC 20036-4907**

**ALLIANCE FOR PUBLIC TECHNOLOGY
DR BARBARA O'CONNOR CHAIR
GERALD DEPO PRESIDENT
901 15TH STREET NW
WASHINGTON DC 20005**

**DAVID J NEWBURGER
NEWBURGER & VOSSMEYER
ONE METROPOLITAN SQUARE SUITE 2400
ST LOUIS MISSOURI 63102**

**MARTHA S HOGERTY
OFFICE OF THE PUBLIC COUNSEL
P O BOX 7800
JEFFERSON CITY MO 65102**

**JACK SHREVE
OFFICE OF THE PUBLIC COUNSEL
111 W MADISON ST #812
TALLAHASSEE FL 32399-1400**

**MIKE TRAVIESO
OFFICE OF PEOPLE'S COUNSEL
6TH ST PAUL STREET SUITE 2102
BALTIMORE MD 21202**

**IRWIN A POPOWSKY
OFFICE OF CONSUMER ADVOCATE
1425 STRAWBERRY SQUARE
HARRISBURG PA 17120**

BLOSSOM PERETZ
DIVISION OF RATEPAYER ADVOCATE
P O BOX 46005
NEWARK NJ 06101

JAMES MARET
OFFICE OF CONSUMER ADVOCATE
LUCAS STATE OFFICE BLDG 4TH FLOOR
DES MOINES IA 50319

ELIZABETH A NOEL
OFFICE OF THE PEOPLE'S COUNSEL
1133 15TH ST NW SUITE 500
WASHINGTON DC 20005

ROB MANIFOLD
ASSISTANT ATTORNEY GENERAL
900 4TH AVENUE SUITE 2000
SEATTLE WA 98164

REGINA COSTA
TOWARD UTILITY RATE NORMALIZATION
625 POLK STREET SUITE 403
SAN FRANCISCO CA 94102

ERIC SWANSON
OFFICE OF ATTORNEY GENERAL
SUITE 1200 WCL TOWER
445 MINNESOTA ST
ST PAUL MN 55101-2130

ANNE BECKER
OFFICE OF UTILITY CONSUMER COUNSELOR
100 N SENATE AVE ROOM N501
INDIANAPOLIS IN 46204-2208

PETER ARTH JR
LIONEL B WILSON
MARY MACK ADU
ATTYS FOR STATE OF CALIFORNIA &
THE PUBLIC UTILITIES COMMISSION OF CA
HELEN M MICKIEWICZ
505 VAN NESS AVENUE
SAN FRANCISCO CA 94102

ALABAMA PUBLIC SERVICE COMMISSION
MARY NEWMAYER
FEDERAL AFFAIRS ADVISER
P O BOX 991
MONTGOMERY AL 36101

COUNSEL FOR THE COMMONWEALTH OF THE
NORTHERN MARIANA ISLANDS
THOMAS K CROWE
DAVID H SCHWARTZ
LAW OFFICES OF THOMAS K CROWE PC
2300 M STREET NW
SUITE 800
WASHINGTON DC 20037

**MAUREEN O HELMER
GENERAL COUNSEL
NEW YORK STATE
DEPARTMENT OF PUBLIC SERVICE
THREE EMPIRE STATE PLAZA
ALBANY NY 12223-1350**

**OFFICE OF PUBLIC UTILITY COUNSEL
LAURIE PAPPAS
DEPUTY PUBLIC COUNSEL
1701 N CONGRESS AVE 9-180
P O BOX 12397
AUSTIN TX 78711-2397**

**OFFICE OF PUBLIC UTILITY COUNSEL
SUZI RAY MCCLELLAN
PUBLIC COUNSEL
RICK GUZMAN
ASSISTANT PUBLIC COUNSEL
1701 N CONGRESS AVE 9-180
P O BOX 12397
AUSTIN TX 78711-2397**

**JAMES A BURG
PAM NELSON
SOUTH DAKOTA PUBLIC UTILITIES COMMISSION
STATE CAPITOL
PIERRE SOUTH DAKOTA 57501-5070**

**R MICHAEL SENKOWSKI
JEFFREY S LINDER
GREGORY J VOGT
WILEY REIN & FIELDING
1776 K STREET NW
WASHINGTON DC 20006**

**GTE SERVICE CORPORATION
WARD W WUESTE
GAIL L POLIVY
1850 M STREET NW
SUITE 1200
WASHINGTON DC 20036**

**RICHARD HEMSTAD
WILLIAM R GILLIS
WASHINGTON UTILITIES AND TRANSPORTATION
COMMISSION
1300 S EVERGREEN PARK DR
P O BOX 47250
OLYMPIA WA 98504-7250**

**MICHAEL T SKRIVAN
HARRIS SKRIVAN & ASSOCIATES LLC
8801 SOUTH YALE SUITE 220
TULSA OK 74137**

**AIRTOUCH COMMUNICATIONS INC
KATHLEEN Q ABERNATHY
DAVID A GROSS
1818 N STREET NW
WASHINGTON DC 20036**

**PAMELA J RILEY
AIRTOUCH COMMUNICATIONS INC
ONE CALIFORNIA STREET 9TH FLOOR
SAN FRANCISCO CA 94111**

**PERSONAL COMMUNICATIONS INDUSTRY
ASSOCIATION
MARK J GOLDEN
ROBERT L HOGGARTH
MARY MADIGAN
500 MONTGOMERY STREET
SUITE 700
ALEXANDRIA VA 223214-1561**

**CENTENNIAL CELLULAR CORPORATION
CHRISTOPHER W SAVAGE
COLE RAYWID & BRAVERMAN LLP
1919 PENNSYLVANIA AVENUE NW
SUITE 200
WASHINGTON DC 20006**

**ASSOCIATION FOR LOCAL TELECOMMUNICATIONS
SERVICES
RICHARD J METZGER
EMILY M WILLIAMS
1200 19TH STREET NW
SUITE 560
WASHINGTON DC 20036**

**TELEPORT COMMUNICATIONS GROUP INC
TERESA MARRERO
SENIOR REGULATORY COUNSEL
TELEPORT COMMUNICATIONS GROUP INC
TWO TELEPORT DRIVE
STATEN ISLAND NY 10311**

**SPECTRANET INTERNATIONAL INC
GLENN B MANISHIN
CHRISTINE A MAILLOUX
BLUMENFELD & COHEN - TECHNOLOGY LAW GROUP
1615 M STREET NW SUITE 700
WASHINGTON DC 20036**

**TIME WARNER COMMUNICATIONS HOLDINGS
BRIAN CONBOY
THOMAS JONES
GUNNAR HALLEY
WILLKIE FARR & GALLAGHER
THREE LAFAYETTE CENTER
1155 21ST STREET NW
WASHINGTON DC 20036**

**TELE-COMMUNICATIONS INC
RANDALL B LOWE
PIPER & MARBURY LLP
1200 19TH STREET NW
WASHINGTON DC 20036**

**RURAL TELEPHONE FINANCE COOPERATIVE
JOHN J LIST
SENIOR VICE PRESIDENT
MEMBER SERVICES
2201 COOPERATIVE WAY
HERNDON VA 20171**

**WESTERN ALLIANCE
BENJAMIN H DICKENS JR
GERARD J DUFFY
BLOOSTON MORDKOFKY JACKSON & DICKENS
2120 L STREET NW SUITE 300
WASHINGTON DC 20037**

**TDS TELECOMMUNICATIONS CORPORATION
MARGOT SMILEY HUMPHREY
KOTEEN & NAFTALIN LLP
1150 CONNECTICUT AVENUE NW
SUITE 1000
WASHINGTON DC 20036**

**ITC
DAVID A IRWIN
TARA S BECHT
IRWIN CAMPBELL & TANNENWALD PC
1739 RHODE ISLAND AVE NW STE 200
WASHINGTON DC 20036-3101**

**INDEPENDENT TELEPHONE & TELECOMMUNICATIONS
ALLIANCE
DIANE SMITH
ALLTEL CORPORATE SERVICES INC
655 15TH STREET NW SUITE 220
WASHINGTON DC 20005-5701**

**INDEPENDENT TELEPHONE & TELECOMMUNICATIONS
ALLIANCE
DAVID W ZESIGER
1300 CONNECTICUT AVENUE NW
SUITE 600
WASHINGTON DC 20036**

**INDEPENDENT TELEPHONE & TELECOMMUNICATIONS
ALLIANCE
RICHARD P BRESS
MICHAEL S WROBLEWSKI
LATHAM & WATKINS
1001 PENNSYLVANIA AVENUE NW
SUITE 1300
WASHINGTON DC 20004-2505**

**KENT LARSEN
CATHEY HUTTON AND ASSOCIATES
2711 LBJ FREEWAY SUITE 560
DALLAS TX 75234**

**ALLTEL TELEPHONE SERVICES CORPORATION
CAROLYN C HILL
655 15TH STREET NW
SUITE 220
WASHINGTON DC 20005**

**FREDERICK & WARINNER LLC
CLINT FREDERICK
10901 WEST 84TH TERRANCE
SUITE 101
LENEXA KANSAS 66214-1631**

**ROSEVILL TELEPHONE COMPANY
GEORGE PETRUTSAS
PAUL J FELDMAN
FLETCHER HEALD & HILDRETH PLC
11TH FLOOR
1300 NORTH 17TH STREET
ROSSLYN VA 22209**

**MINNESOTA INDEPENDENT COALITION
RICHARD J JOHNSON
MICHAEL J BRADLEY
MOSS & BARNETT
4800 NORWEST CENTER
90 SOUTH SEVENTH STREET
MINNEAPOLIS MN 55402-4129**

**NRTA
MARGOT SMILEY HUMPHREY
KOTEEN & NAFTALIN LLP
1150 CONNECTICUT AVE NW
SUITE 1000
WASHINGTON DC 20036**

**NTCA
DAVID COSSON
L MARIE GUILLORY
2626 PENNSYLVANIA AVE NW
WASHINGTON DC 20037**

**OPASTCO
LISA M ZAINA
KENNETH JOHNSON
21 DUPONT CIRCLE NW
SUITE 700
WASHINGTON DC 20036**

**JEFFREY F BECK
JILLISA BONFMAN
BECK & ACKERMAN
FOUR EMBARCADARO CENTER
SUITE 760
SAN FRANCISCO CA 94111**

**ALIANTE COMMUNICATIONS CO
ROBERT A MAZER
ALBERT SHULDINER
VINSON & ELKINS
1455 PENNSYLVANIA AVE NW
WASHINGTON DC 20004-1008**

**COMPUSERVE INC & PRODIGY SERVICES CORP
RANDOLPH J MAY
BONDING YEE
SUTHERLAND ASBILL & BRENNAN
1275 PENNSYLVANIA AVE NW
WASHINGTON DC 20004-2404**

**ILLUMINET
STEPHEN G KRASKIN
SYLVIA LESSE
THOMAS J MOORMAN
KRASKIN & LESSE
2120 L STREET NW SUITE 530
WASHINGTON DC 20037**

**THE INTERACTIVE SERVICES ASSOCIATION
EDWIN N LAVERGNE
J THOMAS NOLAN
GINSBURG FELDMAN AND BRESS CHTD
1250 CONNECTICUT AVE NW
WASHINGTON DC 20036**

**MICROSOFT CORPORATION
JACK KRUMHOLTZ
LAW AND CORPORATE AFFAIRS DEPARTMENT
MICROSOFT CORPORATION
SUITE 600
5335 WISCONSIN AVE NW
WASHINGTON DC 20015**

**MICROSOFT CORPORATION
STANLEY M GORINSON
WILLIAM H DAVENPORT
PRESTON GATES ELLIS & ROUVELAS MEEDS
1735 NEW YORK AVE NW
WASHINGTON DC 20006**

**COMMERCIAL INTERNET EXCHANGE ASSOCIATION
ROBERT D COLLET
BARBARA A DOOLEY
RONALD L PLESSER
MARK J OCONNOR
JAMES J HALPERT
PIPER & MARBURY LLP
1200 NINETEENTH ST NW STE 700
WASHINGTON DC 20036**

**BANKERS CLEARING HOUSE MASTERCARD INTL INC &
VISA USA INC
HENRY D LEVINE
LAURA F H MCDONALD
LEVINE BLASZAK BLOCK & BOOTHBY
1300 CONNECTICUT AVE NW
SUITE 500
WASHINGTON DC 20036**

**BETTY D. MONTGOMERY
ATTORNEY GENERAL OF OHIO
PUBLIC UTILITIES SECTION
180 EAST BROAD STREET
COLUMBUS OH 43215-3793**

**LCI INTERNATIONAL CORP NC
GREGORY M CASEY
DOUGLAS W KINKOPH
8180 GREENSBORO DRIVE
SUITE 800
MCLEAN VA 22102**

**TERRY MICHAEL BANKS
COUNSEL
ICG TELECOM GROUP
1303 SAWBRIDGE WAY
RESTON VA 22094**

**THE RURAL TELEPHONE COALITION
MARGOT SMILEY HUMPHREY
KOTEEN & NAFTALIN LLP
1150 CONNECTICUT AVENUE NW
SUITE 1000
WASHINGTON DC 20036**

**THE RURAL TELEPHONE COALITION
DAVID COSSON
L MARIE GUILLORY
2626 PENNSYLVANIA AVENUE NW
WASHINGTON DC 20037**

**THE RURAL TELEPHONE COALITION
LISA M ZAINA
KENNETH JOHNSON
21 DUPONT CIRCLE NW
SUITE 700
WASHINGTON DC 20036**

**ROSEVILLE TELEPHONE COMPANY
FLETCHER HEALD & HILDRETH PLC
GEORGE PETRUTSAS
PAUL J FELDMAN
11TH FLOOR 1300 NORTH 17TH STREET
ROSSLYN VA 22209**

**TENNESSEE REGULATORY AUTHORITY STAFF
CHRISTOPHER KLEIN CHIEF
UTILITY RATE DIVISION
460 JAMES ROBERTSON PARKWAY
NASHVILLE TN 37243-0505**

**DAVID S J BROWN
E MOLLY LEAHY
NEWSPAPER ASSOCIATION OF AMERICA
529 14TH STREET NW
SUITE 440
WASHINGTON DC 20045**

LESLA LEHTONEN
ATTORNEY FOR
CALIFORNIA CABLE TELEVISION ASSOCIATION
4341 PIEDMONT AVENUE
OAKLAND CA 94611

NYSERNET INC
JAMES BRENNAN
ASSOCIATE DIRECTOR OF GOV SERVICES
RENSSELAER TECHNOLOGY PARK
TROY NY 12180-7698

CYNTHIA B MILLER
SENIOR ATTORNEY
FLORIDA PUBLIC SERVICE COMMISSION
2540 SHUMARD OAK BOULEVARD
TALLAHASSEE FL 32399-0850

SONETECH INC
W FRED SEIGNEUR
PRESIDENT
109 KALE AVENUE
STERLING VA 20164

DAVID J NEWBURGER
NEWBURGER & VOSSMEYER
COUNSEL FOR
AMERICAN ASSOCIATION FOR ADULT AND
CONTINUING EDUCATION
ONE METROPOLITAN SQUARE SUITE 2400
ST LOUIS MISSOURI 63102

CATHERINE R SLOAN
RICHARD L FRUCHTERMAN III
RICHARD S WHITT
WORLD COM INC
1120 CONNECTICUT AVENUE NW
SUITE 400
WASHINGTON DC 20036

RICHARD J HEITMANN
WORLD COM INC
515 EAST AMITE
JACKSON MS 39201-2702

ALEX J HARRIS
WORLD COM INC
33 WHITEHALL STREET
15TH FLOOR
NEW YORK NY 10004

PETER A ROHRBACH
DAVID L SIERADZKI
F WILLIAM LEBEAU
HOGAN & HARTSON LLP
WORLD COM INC
555 13TH STREET NW
WASHINGTON DC 20004-1109

TEXAS OFFICE OF PUBLIC UTILITY COUNSEL
LAURIE PAPPAS
DEPUTY PUBLIC COUNSEL
1701 N CONGRESS AVENUE 9-180
P O BOX 12397
AUSTIN TX 78711-2397

**COMMUNICATIONS WORKERS OF AMERICA
MORTON BAHR
PRESIDENT
501 3RD STREET NW
WASHINGTON DC 20001**

**KANSAS CORPORATION COMMISSION
1500 SW ARROWHEAD RD
TOPEKA KS 66604-4027**

**THOMAS B WEAVER
ATTORNEY - GTE MIDWEST INCORPORATED
ARMSTRONG TEASDALE SCHLAFLY & DAVIS
ONE METROPOLITAN SQUARE SUITE 2600
ST LOUIS MISSOURI 63102**

**JULES M PERLBERG
ONE FIRST NATIONAL PLAZA
CHICAGO IL 60603**

**RCN TELECOM SERVICES INC
RUSSELL M BLAU
TAMAR E HAVERTY
SWIDLER & BERLIN CHARTERED
3000 K STREET NW SUITE 300
WASHINGTON DC 20007**

**NATIONAL EMERGENCY NUMBER ASSN
JAMES R HOBSON
FREDERIC L WOOD (ATTY OF RECORD)
DONELAN CLEARY WOOD & MASTER PRICE CAP
PERFORMANCE REVIEW ORDER
1100 NEW YORK AVENUE NW #750
WASHINGTON DC 20005-3934**